Nevada Division of Environmental Protection
Bureau of Water Quality Planning

Proposed Changes To Class Water Quality Standards
Nevada Administrative Code (NAC) 445A.195 through NAC445A.197

Fact Sheet
August 2004

Background

Section 303 of the Clean Water Act and 40 CFR 131 give states responsibility for setting, reviewing and revising water quality standards. State of Nevada requirements are contained in Nevada Revised Statutes 445A.425 and 445A.565 and water quality standards for waters of Nevada are found in the Nevada Administrative Code (NAC) 445A.118 through 445A.225. To set water quality standards, water bodies are divided into reaches based on land uses and physical and chemical characteristics. Beneficial uses for each reach are designated and criteria (or beneficial use standards) to protect those uses are established. Beneficial Use Standards (BUSs) are usually derived from USEPA national guidance criteria. If existing water quality is significantly better than the BUS, requirements to maintain existing higher quality (RMHQs) may be established in addition to the BUS. Workshops are held to obtain comments on proposed water quality standards from federal, state and local agencies and the general public. After consideration of public comments, the standards are presented at a public hearing to the State Environmental Commission (SEC) for review and adoption. Standards adopted by the SEC are then subject to approval by the USEPA before incorporating into the NAC.

Summary of Changes to Quality Standards

The Proposed Revisions affect the water quality regulations now contained in Nevada Administrative Code NAC445A.195 through NAC445A.197. The proposed changes include redefining sample station locations, adjusting the reach description for inner Las Vegas Bay and updating the ammonia standards for Lake Mead and the Inner Las Vegas Bay.

Discussion: The current standards for Inner Las Vegas Bay and Lake Mead (see: *footnote b NAC445A.195 and 197*) puts station 2 and 3 at a specified depth. In order to maintain the specified depth, the station moves **out** when the lake level falls and **in** when the lake level rises. Moreover, stations LM4 and LM5 are at fixed locations. Because the lake level has dropped substantially, station 3 has moved out past station LM4 and is approaching LM5. As a result, stations LM4 and LM5 are no longer representative of the part of the lake they were intended to characterize when their positions were fixed at a time that a higher lake level existed.

The relative positions of the stations are more properly defined by locating them a fixed distance from the confluence between Las Vegas Wash and Lake Mead. Thereby all four stations will move in and out with the fluctuating lake levels but remain a consistent distance apart. Because station 2 was originally 1.2 miles from the confluence, we are proposing to define it as 1.2 miles from the confluence (now referred to as Las Vegas Bay (LVB) 1.2).

Using the same rationale in redefining the remaining stations it is proposed to locate Station 3 (now referred to as LVB 1.85) at 1.85 miles from the confluence, LM 4 (now referred to as LVB 2.7) at 2.7 miles from the confluence, and LM 5 (now referred to as LVB 3.5) at 3.5 miles from the confluence.

Inner Las Vegas Bay (*NAC445A.196*) is defined as the area of Lake Mead from the western boundary of Las Vegas Bay Campground to the confluence of Las Vegas Wash. The Lake Mead water surface

level has dropped to the extent that this reach no longer exists under this definition. Redefining the inner bay as a non-static water body will establish the reach by linking it to the lake elevation. NDEP is proposing to define the Inner Las Vegas Bay reach as Lake Mead from the confluence of Lake Mead with Las Vegas Wash to 1.2 miles into Las Vegas Bay from the confluence. This was the original length of the inner bay reach and will allow the reach to move as the lake level fluctuates.

In addition, this proposed regulatory revision addresses ammonia criteria for Lake Mead and Inner Las Vegas Bay. In 1999, USEPA updated the ammonia freshwater aquatic life criteria. The new criterion reflects new research and changes the criteria from unionized ammonia to total ammonia.

NDEP updated the ammonia criteria for most of the State water bodies in 2002 to this 1999 criteria, except for Lake Mead, the lower Carson River, the Humboldt River and Lake Tahoe and its Tributaries. At that time, NDEP felt that it would be better to update the ammonia standards for Lake Mead and the other remaining waters on an individual basis. Accordingly, NDEP is now proposing to update the Lake Mead and Inner Las Vegas Bay ammonia standard to conform to the EPA recommended 1999 criteria. The proposed ammonia standard will change from un-ionized ammonia to total ammonia nitrogen, and from a single value to a site specific determination calculated by equations depending on the presence or the absence of sensitive coldwater fish species and if fish early life stages are present.

For questions, comments or additional information please contact:

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